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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/431,753	11/01/1999	JUKKA WALLENIUS	4925-9	9171
7590	10/14/2005		EXAMINER	
ALFRED W FROEBRICH ESQ COHEN PONTANI LIEBERMAN & PAVANE 551 FIFTH AVENUE SUITE 1210 NEW YORK, NY 10176			MIRZA, ADNAN M	
		ART UNIT	PAPER NUMBER	
		2145		
DATE MAILED: 10/14/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/431,753	WALLENIUS, JUKKA
	Examiner	Art Unit
	Adnan M. Mirza	2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 27 July 2005.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-3,5-7,9-35,38-50 and 52-69 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-3,5-7,9-35 and 38-50,52-69 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1,5,6,34,38,52 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The amended part to the claims stated as “(f) switching the connection of the browser from the first content server to the new session, wherein said steps (d) and (e) are performed prior to said step (c) of selecting such that said step of switching the connection is performed as a smooth switchover when the selected hyperlink is selected in said step (c)” contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-3,5-7,9-35,38-50,52-69 are rejected under 35 U.S.C. 102(e) as being unpatentable by Srinivasan et al (U.S. 6,357,042).

As per claim 1-3,36,39,69 Srinivasan disclosed a procedure for using a time-dependent hyperlink in video, comprising the steps of: (a) associating content reference for at least one hyperlink with a video by associating the content reference with coordinates at which the hyperlink appears in the video, wherein one of the coordinates includes time (col. 7, lines 32-48); (b) transmitting the video from a first content server to a video browser of a user display; such that the hyper link appears in the video, wherein on of the coordinates includes time, such that the hyperlink follows the area on the screen in which the object associated with the hyperlink appears during the video (col. 7, lines 55-67 & col. 8, lines 1-4); (c) selecting by the user a selected hyperlink in the video by selecting coordinates corresponding to the area and time at which the selected hyperlink appears in the video, whereby the user selects the selected hyperlink in real time while the video is being displayed by the video browser (col. 4, lines 8-37); (d) determining the content reference for a new session of the selected hyperlink based on the selected coordinates (col. 9, lines 60-65);

(e) initiating a connection of the browser to the new session of the selected hyperlink; and (f) switching the connection of the browser from the first content server to the new session (col. 17, lines 13-36).

3. As per claim 5 Srinivasan disclosed wherein said step (d) comprises looking up the content reference in a database in the current content server based on the coordinates selected in said step (c) (col. 17, lines 19-36), the database including the content reference cross-referenced with the coordinates at which the at least one hyperlink for the content reference appears in the video (col. 8, lines 16-33).

4. As per claim 6 Srinivasan disclosed further comprising the step of downloading a file from the current content server to the browser before performing said step (b) (col. 22, lines 1-9), the file containing a database including the content reference cross-referenced with the coordinates at which the at least one hyperlink for the content reference appears in the video and said step (d) comprises looking up the content reference in the downloaded file based on the coordinates selected in said step (c) (col. 8, lines 16-33).

5. As per claim 7,37,52 Srinivasan disclosed wherein said step (e) further comprises initiating at a call processing server a connection to the new session of the selected hyperlink (col. 32, lines 23-31), the call processing server being arranged between the current content server and the browser (col. 33, lines 52-58).

6. As per claim 9,10-13,26-28,39-41,54-56 Srinivasan disclosed further comprising the step of downloading the switchover application containing information on the at least one hyperlink in the video being transmitted in said step (b) (col. 35, lines 60-64).

7. As per claim 14,20,29,43,58,64 Srinivasan disclosed wherein the switchover application performs at least one of the following steps: downloading given contents at given points in time; playing contents at given points in time; checking content server availability; selecting from

several content servers depending on server load status; requesting the current content server to prepare a content for transmission; requesting the current content server to start transmitting a prepared document; requesting the current content server to start transmitting content from a given displacement; requesting a downloading of a new switchover application for the content referred to by a link (col. 36, lines 10-40); establishing a new session to new content at given points in time; submitting received call processing language scripts to assist establishment of a new session; determining round trip delay between the browser and the content server of the selected hyperlink and adjusting switchover times on the determination (col. 17, lines 52-67); determining permanent terminal or terminal location specific implications to general session establishment time and adjusting switchover schedules based on the determination; A performing procedures needed to join a multicast session; reserving network resources for a new session under establishment or a link or data stream being resumed; freeing network resources for a new session being cleared or a link or data stream being paused; performing video/audio content switchover at a given point in time (col. 4, lines 25-54); comparing link descriptive information with user preference attributes and browser capabilities, in case of failure to satisfy the preference attributes; and cancelling the visualization of the link to the user in case of failure (col. 32, lines 23-31).

8. As per claim 15,21,30,33,44,59,65 Srinivasan disclosed wherein said step (f) comprises maintaining a session to the first content server and the switchover application performs the following steps: establishing a new session toward the content of the selected hyperlink at a given point in time; pausing the video/audio content stream of the original content at said step (f); resuming the video/audio content stream of the original content at switchover back to the original content; and releasing the new session toward the content of the selected hyperlink after switchover back to the original content (col. 4, lines 8-37).

9. As per claim 16,22,31,45,60,66 Srinivasan disclosed wherein said step of resuming the video/audio content stream of the original content including resuming at the point in the original content at which the original content was paused (col. 25, lines 1-8).

10. As per claim 17,23,32,46,61,67 Srinivasan disclosed wherein the switchover application caches a history of switchover applications (col. 4, lines 55-63).

11. As per claim 18,42,57 Srinivasan disclosed wherein said steps (d), (e), and (f) are performed using a switchover application associated with the video in the first content server, said step of transmitting a link stream comprises transmitting a link stream including link selection and switchover preparation schedules, said switchover preparation schedules specified ascii tag notation such that said switchover application performs the step of interpreting said ascii tag notation (col. 4, lines 8-37).

12. As per claim 19,63 Srinivasan disclosed wherein said step (d) includes using an algorithm that determines the location of a hyperlink based on visual characteristics in the video (col. 7, lines 16-33).

As per claim 24,62 Srinivasan disclosed wherein said step (b) comprises transmitting the video from a current content server to a video browser of a user display via a media proxy controlled by a call processing server (col. 13, lines 59-67).

13. As per claim 25 Srinivasan disclosed further comprising the step of downloading a switchover application to said call processing server or a service control means connected to said call processing server, said switchover application containing information on links in the video being transmitted in said step (b) (col. 4, lines 8-37).

14. As per claim 35 Srinivasan disclosed further comprising means for transmitting a link stream containing said content reference of said at least one hyperlink from said first content server to said browser on a first communication channel and transmitting said video from said first content server to said browser in parallel to said link stream on a second communication channel (col. 32, lines 42-56).

15. As per claim 34 Srinivasan disclosed a system for processing a time-dependent hyperlink in a video, comprising: a first content server comprising a video; a user input/output device comprising a display for displaying the video and an input output device for selecting a position on said display (col. 11, lines 49-60); a browser arranged for connecting said user input/output device to said first content server; at least one hyperlink and content reference cross-referenced with coordinates indicating where the object associated with at least one hyperlink appears in the video stored in said first content server (col. 4, lines 8-37), said coordinates including display position and time during the video; such that the at least one hyperlink follows the area on the screen in which the hyperlink appears during the video, and said content reference indicating a second content server comprising an electronic document to which the hyperlink is linked; means for determining when said hyperlink is selected by determining when coordinates at which the hyperlink appears in the video are selected while the video is being displayed on said display by said browser (col. 7, lines 55-67 & col. 8, lines 1-4), wherein the selection of the hyperlink is in real time while the video is displayed; and means for switching over a connection of said browser from said first content server to said second content server for user access to said electronic document in said second content server when said means for determining determines that said hyperlink has been selected (col. 17, lines 19-36).

16. As per claim 38,53 Srinivasan disclosed wherein said content server comprises a switchover application for performing a smooth switchover and said means for performing a smooth switchover comprises a means for using said switchover application (col. 4, lines 8-37).

17. As per claim 47 Srinivasan disclosed wherein said content server further comprises a link database (col. 32, lines 41-56)

18. As per claim 48 Srinivasan disclosed further comprising means for downloading said link database to said browser (col. 32, lines 41-56).

19. As per claim 49 Srinivasan disclosed wherein said means for determining when said hyperlink is selected comprises means for querying said link database (col. 32, lines 41-56).
20. As per claim 50 Srinivasan disclosed further comprising a call processing server arranged between said browser and said first content server, said call processing server comprising said means for switching over a connection of said user input/output device from said first content server to said second content server (col. 4, lines 8-37).
21. As per claim 68 Srinivasan disclosed wherein a second content reference and a third content reference are both associated with said at least one hyperlink such that said means for switching over a connection further comprises means for switching over a connection of said browser from said second content reference to said third content reference of said at least one hyperlink after completion of said second content reference is completed (col. 17, lines 19-36).

Response to Arguments

Applicant's arguments filed 07/27/2005 have been fully considered but they are not persuasive.

Response to applicant's arguments is as follows.

22. Applicant argued that prior art did not disclose, "browser initiates a connection to a second content server while the video is playing and before the user selects a hyperlink as expressly recited.

As to applicant's argument Srinivasan disclosed, "The editor may select a portion (clip) of the overall video represented by the thumbnails by selecting a thumbnail, then optionally view that portion (clip) in window at either normal or accelerated rate, by use of the soft buttons in toolbar.

During this optional viewing, other functions may be done, such as annotating, tracking objects etc (col. 26, lines 58-63).

Conclusion

23. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

24. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Adnan Mirza whose telephone number is (703)-305-4633.

25. The examiner can normally be reached on Monday to Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571)-272-3933. The fax for this group is (703)-746-7239.

26. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703)-746-7239 (For Status Inquiries, Informal or Draft Communications, please label "PROPOSED" or "DRAFT");

(703)-746-7239 (For Official Communications Intended for entry, please mark "EXPEDITED PROCEDURE"),

(703)-746-7238 (For After Final Communications).

27. Any Inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-305-3900.

Any response to a final action should be mailed to:

BOX AF

Commissioner of Patents and Trademarks Washington, D.C.20231

Or faxed to:

Hand-delivered responses should be brought to 4th Floor Receptionist, Crystal Park II, 2021 Crystal Drive, Arlington, VA 22202.

AM
Adnan Mirza
Examiner


JASON CARDONE
SPE AU 2145